

# EXHIBIT 10

Re: [EXTERNAL EMAIL] Contact Information

Peter McGraw(BRO) <[pmcgraw@trla.org](mailto:pmcgraw@trla.org)>

Mon 10/23/2023 3:51 PM

To: Corby, Erin C CIV USARMY CESWF (USA) <[Erin.C.Corby@usace.army.mil](mailto:Erin.C.Corby@usace.army.mil)>

You can send it to me at 1206 East Van Buren St., Brownsville, Texas 78520. Thank you.

Peter

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**From:** Corby, Erin C CIV USARMY CESWF (USA) <[Erin.C.Corby@usace.army.mil](mailto:Erin.C.Corby@usace.army.mil)>

**Sent:** Monday, October 23, 2023 3:44 PM

**To:** Peter McGraw(BRO) <[pmcgraw@trla.org](mailto:pmcgraw@trla.org)>

**Subject:** [EXTERNAL EMAIL] RE: [EXTERNAL EMAIL] Contact Information

Good afternoon Peter,

I believe DOJ may have already reached out, but I am mailing the attached letter in regards to our recent request to enter Mr. Luera's property. I currently have it addressed to him and will mail it to him tomorrow, unless you prefer I just send it directly to you. If so, can you please send me your office address where it should be mailed?

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**From:** Peter McGraw(BRO) <[pmcgraw@trla.org](mailto:pmcgraw@trla.org)>

**Sent:** Tuesday, September 26, 2023 1:22 PM

**To:** Corby, Erin C CIV USARMY CESWF (USA) <[Erin.C.Corby@usace.army.mil](mailto:Erin.C.Corby@usace.army.mil)>

**Subject:** [Non-DoD Source] Re: [EXTERNAL EMAIL] Contact Information

My understanding based on our communications and DHS's public statements is that FY2018 or FY2019 funds are being used for this. Mr. Luera is not willing to sign a right of entry. If you have more information about funding sources other than FY2018 or FY2019 funds that might be used and details about where, how, and when officials will enter his property, I'll be happy to communicate that to Mr. Luera to see if the parties can reach an agreement.

Peter

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**From:** Corby, Erin C CIV USARMY CESWF (USA) <[Erin.C.Corby@usace.army.mil](mailto:Erin.C.Corby@usace.army.mil)>

**Sent:** Thursday, September 21, 2023 9:04 AM

**To:** Peter McGraw(BRO) <[pmcgraw@trla.org](mailto:pmcgraw@trla.org)>

**Subject:** RE: [EXTERNAL EMAIL] Contact Information

I am not sure at the moment since we are still just in the planning phases of this project.

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**From:** Peter McGraw(BRO) <[pmcgraw@trla.org](mailto:pmcgraw@trla.org)>

**Sent:** Thursday, September 21, 2023 8:59 AM

**To:** Corby, Erin C CIV USARMY CESWF (USA) <[Erin.C.Corby@usace.army.mil](mailto:Erin.C.Corby@usace.army.mil)>

**Subject:** [Non-DoD Source] Re: [EXTERNAL EMAIL] Contact Information

I'll try to reach him and let you know by the end of the week.

Will the Government be using some other funding source?

Peter

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**From:** Corby, Erin C CIV USARMY CESWF (USA) <[Erin.C.Corby@usace.army.mil](mailto:Erin.C.Corby@usace.army.mil)>  
**Sent:** Thursday, September 21, 2023 8:57 AM  
**To:** Peter McGraw(BRO) <[pmcgraw@trla.org](mailto:pmcgraw@trla.org)>  
**Subject:** RE: [EXTERNAL EMAIL] Contact Information

Thank you for clarifying and I have taken note of your position regarding funding. Will your client be willing to sign a Right of Entry providing the Government access to his property?

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**From:** Peter McGraw(BRO) <[pmcgraw@trla.org](mailto:pmcgraw@trla.org)>  
**Sent:** Wednesday, September 20, 2023 2:35 PM  
**To:** Corby, Erin C CIV USARMY CESWF (USA) <[Erin.C.Corby@usace.army.mil](mailto:Erin.C.Corby@usace.army.mil)>  
**Subject:** [Non-DoD Source] Re: [EXTERNAL EMAIL] Contact Information

Section 230 of the 2019 Consolidated Appropriations Act provides money for "primary pedestrian fencing" and "levy pedestrian fencing" based on designs that were in effect as of 2017.

What I know about the Government's plan for the Starr County border barrier project is based on materials provided to Mr. Luera and posted on CBP's website:

<https://www.cbp.gov/about/environmental-management/border-barrier-environmental-planning-starr-county-texas-august-2023>

I don't think any of this construction or surveying is authorized using FY2019 funds. *See United States v. 0.720 Acres of Land, More or Less*, 603 F.Supp.3d 482 (S.D. Tex. 2022).

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**From:** Corby, Erin C CIV USARMY CESWF (USA) <[Erin.C.Corby@usace.army.mil](mailto:Erin.C.Corby@usace.army.mil)>  
**Sent:** Wednesday, September 20, 2023 2:27 PM  
**To:** Peter McGraw(BRO) <[pmcgraw@trla.org](mailto:pmcgraw@trla.org)>  
**Subject:** RE: [EXTERNAL EMAIL] Contact Information

Hi Peter,

You had mentioned on the phone that you didn't believe there was authority for what we were doing under the FY19 funding, can you clarify? This tract falls under that funding authority, which is non-levy border barrier funding. We are still in the preliminary planning phases of this project. Currently, we are asking permission to enter the property for survey and site assessment purposes. If an acquisition was to take place, we would need to complete our due diligence prior to an offer.

Thank you,

Erin Corby  
Realty Specialist  
Interagency Support Branch  
Real Estate Division  
U.S. Army Corps of Engineers  
819 Taylor Street, Room 2A06  
Fort Worth, Texas 76102  
817-886-1089

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**From:** Peter McGraw(BRO) <[pmcgraw@trla.org](mailto:pmcgraw@trla.org)>  
**Sent:** Wednesday, September 20, 2023 11:38 AM  
**To:** Corby, Erin C CIV USARMY CESWF (USA) <[Erin.C.Corby@usace.army.mil](mailto:Erin.C.Corby@usace.army.mil)>  
**Subject:** [Non-DoD Source] Contact Information

Hi Erin -

Thanks for speaking with me earlier today. I hope to be in touch with more information next week. You can reach me by any of the information below.

Peter

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Peter McGraw  
Texas RioGrande Legal Aid  
1206 East Van Buren St.  
Brownsville, Texas 78520  
(956) 982-5543  
[pmcgraw@trla.org](mailto:pmcgraw@trla.org)

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